

Honorable Linda W. Cropp
Chairman
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W. , Room 504
Washington, D.C. 20004

Dear Chairman Cropp:

As you know, I have been strenuously opposed to the Council's recent legislation concerning the qualifications of the Inspector General of the District of Columbia insofar as the legislation has the purpose and effect of removing the incumbent Inspector General, Charles Maddox, from his office effective on June 1, 2003. That purpose and effect clearly violate separation-of-powers principles enshrined in the District's Charter, for it is well-established that the power to remove an officer who performs executive functions, such as the Inspector General, is exclusively an executive, not a legislative, power. Consequently, I vetoed the emergency, temporary, and permanent versions of the legislation. The Council overrode my vetoes of the emergency and temporary versions on April 29, 2003. The Council has not yet voted to override my veto of the permanent version.

As a result of the Council's override of two of my vetoes, the emergency version of the legislation is now D.C. Act 15-78, effective for 90 days starting April 29th. The temporary version, Bill 15-201, is now pending congressional review, with a projected law date of June 20, 2003.

Enclosed is an Opinion of the Corporation Counsel issued today. The Opinion concludes that this legislation violates the District Charter, is unlawful, and, therefore, should be considered as being null, void, and of no effect in regard to the removal of Inspector General Maddox.

I am very disappointed that the Council has rejected my timely proposal that we jointly seek court clarification of this matter, in an appropriate judicial proceeding. I am confident that approach would assure expeditious and fair resolution of our dispute.

Absent the Council's agreement to pursue a judicial resolution, I am constrained to follow the attached Opinion that the law is null and of no effect in regard to Mr. Maddox's removal. Therefore, in a separate letter today, I have advised Mr. Maddox that he should continue in his office, subject to the terms of his appointment as Inspector General. I have also advised the appropriate departments of the District government to retain Mr. Maddox as a government employee and to maintain him on the government payroll, with his pay to continue pursuant to his appointment.

Sincerely,

Anthony A. Williams
Mayor

AAA/wcw

Enclosure

cc: John A. Koskinen, City Administrator
Kelvin J. Robinson, Chief of Staff
Herbert R. Tillery, Deputy Mayor for Operations
Arabella W. Teal, Interim Corporation Counsel
Leonard H. Becker, General Counsel to the Mayor
Jack Evans, Chairman Pro Tem, Council of the District of Columbia
Sanda Allen, Councilmember
Sharon Ambrose, Councilmember
Harold Brazil, Councilmember
David A. Catania, Councilmember
Kevin Chavous, Councilmember
Adrian Fenty, Councilmember
Jim Graham, Councilmember
Phil Mendelson, Councilmember
Vincent B. Orange, Councilmember
Kathleen Patterson, Councilmember
Carol Schwartz, Councilmember
[All copies contain the attachment.]